LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS

54111 BROUGHTON ROAD MACOMB, MICHIGAN 48042

PRESENT: MICHAEL D. KOEHS, CLERK

JAMES GELIOS, DEPUTY CLERK MARIE MALBURG, TREASURER TRUSTEES: DINO F. BUCCI, JR.

JANET DUNN

KENNETH MEERSCHAERT, JR.

**CHARLES OLIVER** 

ABSENT: JOHN D. BRENNAN, SUPERVISOR

Also in attendance: Robert Siebert, Township Attorney

Jerome Schmeiser, Community Planning Consultant James Van Tiflin, Spalding DeDecker Associates, Inc. (Additional attendance record on file with Clerk)

Call Meeting to Order

Clerk KOEHS called the meeting to order at 7:00 p.m.

Clerk KOEHS introduced Boy Scouts Maxwell Pelcher, Mathew McCormick, Matthew Listrom and Troy Spencer representing Boy Scout Troop 149, all of whom are working to receive their merit badge.

#### PLEDGE OF ALLEGIANCE

The Boy Scouts representing Troop 149 began the Pledge of Allegiance for all present.

# 1. Roll Call

James Gelios, Township Deputy Clerk, announced the Roll Call. Supervisor BRENNAN not present.

MOTION by DUNN seconded by BUCCI to appoint Michael D. Koehs, Township Clerk as the Chairman for this meeting of March 24, 2004 and move to refrain from calling the name of John D. Brennan for any future Roll Calls for this meeting of March 24, 2004.

2. Approval of Agenda Items (with any corrections)

MOTION by DUNN seconded by OLIVER to approve this agenda of March 24, 2004 as amended.

**MOTION** carried.

3. Approval of Bills

MOTION by OLIVER seconded by BUCCI to approve the Bill Runs as submitted.

**MOTION** carried.

4. Approval of the March 10, 2004 previous meeting minutes.

MOTION by DUNN seconded by MALBURG to approve the meeting minutes of March 10, 2004 as presented.

#### **MOTION** carried.

- 5. Department Monthly Reports
  - a. Macomb County Sheriffs Department
  - b. Building Department
  - c. Fire Department
  - d. Water/Sewer Department
  - e. Parks and Recreation Department

MOTION by OLIVER seconded by MALBURG to approve the Consent Agenda Item; Department Monthly Resports as submitted.

#### MOTION carried.

6. Public Comments (Non Agenda items only - 3 minute time limit)

Roger Krzeminski, a township resident, present on behalf of the ushers at the St. Isidore Catholic Church 7:30 p.m. mass, reviewed a recent life saving event and commended this Board for their recent decision on adding an additional emergency ambulance, Medstar, that has saved an individuals life.

Kevin Karwowicz, a township resident, reviewed an upcoming Easter Egg Hunt scheduled for April 4, 2004 at 2:00 p.m. for the children of the community along with surrounding communities and asked the Board for additional assistance by the Township Fire Department for this event.

Bob Root, representing E & L Construction Group, questioned if the Temporary Occupancy for St. Isidore Church (area E) is scheduled as an addition to this agenda of March 24, 2004. Clerk KOEHS reviewed the location of the addition on this agenda of March 24, 2004 as item number 24c.

# **PUBLIC HEARING:**

7. Consideration of Community Development Block Grant Projects

Clerk KOEHS opened the Public Hearing at 7:10 p.m.

Mr. Koehs reviewed the Township Supervisors Fiscal Year 2004 Community Development Block Grant Program package dated March 18, 2004, indicating the funds allocated for Public Services and Brick and Mortar Construction activity.

Mr. Koehs reviewed for the Fiscal Year 2004 (September 2004 – August 2005) the Township will receive \$84,000 in CDBG Program Funds and up to 15%, or \$12,600, of the total which can be allocated toward Public Service activities. The remaining 85%, or \$71,400, can be allocated toward Brick and Mortar Construction activities.

Please Note: the following information was included in the Township Supervisors package dated March 18, 2004 as follows:

*The following requests are for funding using Public Service activity funds:* 

<u>Provider</u>	2004 Requested Funds
Macomb Township Parks & Recreation –	\$ 7,600.00
Senior Activities & Senior Coordinator	
Solid Ground, Inc	\$1,000.00
MCCSA – Chores Service	\$2,500.00
St. Vincent DePaul	\$10,000.00
MCREST	\$2,500.00
Care House	\$5,000.00
Total of requests for CDBG Program funds:	\$28,600.00
Maximum available CDBG Program funds:	\$12,600.00

The following requests are for funding using Bricks and Mortar Construction activity funds:

<u>Provider</u>	<u>2004 Requested Funds</u>
Macomb Township 25 Mile Road	\$71,400.00
Schoolhouse Renovation	
(Requesting multi-year funding)	
Solid Ground, Inc.	\$1,000.00

Total of requests for CDBG Program \$72,400.00
Bricks and Mortar Construction activity funds
Maximum available CDBG Program \$71,400.00
Bricks and Mortar

Clerk KOEHS reviewed the additional request submitted by Family Youth Interventions for Public Service funds requesting Five Thousand dollars and 00/100 (\$5,000.00).

Public Portion: Representatives on behalf of Care House, Solid Ground Inc., and Macomb County Rotating Emergency Shelter Team (MCREST) reviewed their requests for consideration.

Salvatore DiCaro, Parks & Recreation Director, reviewed the request of \$7,600.00 of the Service funds for Parks & Recreation Department using \$2,600.00 towards the salary of the Senior Citizens Coordinator and the remaining \$5,000.00 to update the equipment at the Senior Citizens Center.

Mr. DiCaro reviewed the additional request of \$71,400.00, the entire amount of the CDBG Brick and Mortar Funds for restoration of the school house located on 25 Mile Road.

MOTION by OLIVER seconded by BUCCI to close the Public Hearing at 7:20 p.m. for the consideration of the Community Block Grant Projects.

#### MOTION carried.

This item was informational. No action taken.

#### **PLANNING COMMISSION:**

8. Land Division Variance; Lone Oak Estates Subdivision; Located on the north side of 22 Mile Road 566 feet west of Card Road; Polaris Enterprises, Petitioner. Permanent Parcel Number 08-22-400-032. (Tabled at the Twp Meeting of March 10, 2004)

Tabled at the petitioners request to the April 14, 2004 Township Board of Trustees Meeting.

9. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the northeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-002.

Jerome R. Schmeiser, Community Planning Consultant, simultaneously reviewed agenda numbers 9-22 Rezoning Requests and recommendations for approval.

Public Portion: Sean Connley, a Township resident, suggested that the Board consider rezoning one of the parcels discussed to Office Low Rise rather than Residential.

MOTION by DUNN seconded by OLIVER to approve the rezoning request from (AG) to Residential One Family Urban (R-1); Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-002.

# **MOTION** carried.

10. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the northeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-005.

MOTION by DUNN seconded by BUCCI to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-27-300-005.

# **MOTION** carried.

11. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the northeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-007.

MOTION by DUNN seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-27-300-007.

# **MOTION** carried.

12. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the northeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-008.

MOTION by OLIVER seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-27-300-008.

## **MOTION** carried.

13. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the northeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-009.

MOTION by MALBURG seconded by BUCCI to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-27-300-009.

## **MOTION** carried.

14. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the northeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-27-300-010.

MOTION by MALBURG seconded by DUNN to approve the rezoning request from (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-27-300-010.

# **MOTION** carried.

15. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-003.

MOTION by DUNN seconded by OLIVER to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-003.

# **MOTION** carried.

16. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-004.

MOTION by BUCCI seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-004.

## **MOTION** carried.

17. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-010.

MOTION by OLIVER seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-010.

18. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-011.

MOTION by OLIVER seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-011.

# **MOTION** carried.

19. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-012.

MOTION by DUNN seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-012.

# **MOTION** carried.

20. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-015.

MOTION by OLIVER seconded by BUCCI to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-015.

#### **MOTION** carried.

21. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-018.

MOTION by MALBURG seconded by BUCCI to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-018.

# **MOTION** carried.

22. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the southeast corner of Heydenreich Road and 21 Mile Road; Macomb Township, Petitioner. Permanent Parcel No. 08-34-101-019.

MOTION by DUNN seconded by OLIVER to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Permanent Parcel No. 08-34-101-019.

## **MOTION** carried.

23. Final Plat; Fallbrooke Farms Subdivision; Located on the north side of 25 Mile Road approximately 700' west of Broughton Road; Elro Corporation, Petitioner. Permanent Parcel No. 08-04-400-036.

Jerome R. Schmeiser, Community Planning Consultant, reviewed the findings and recommendations for approval.

Petitioner Present: Daniel S. Spatafora of Elro Corporation.

Public Portion: None.

MOTION by MEERSCHAERT seconded by OLIVER to approve the Final Plat; Fallbrooke Farms Subdivision and direct the Clerk to sign the mylar. Permanent Parcel No. 08-04-400-036.

# **MOTION** carried.

# **NEW BUSINESS:**

24. Request to Schedule the Public Hearing Date; Street Lighting; Rocco Estates Subdivision; Located 330 feet north of 21 Mile Road and approximately 120 feet east of Rockwood Drive; Rocco Galati, Petitioner. Permanent Parcel No. 08-28-376-008.

MOTION by DUNN seconded by BUCCI to schedule April 28, 2004 for the Public Hearing Date; Street Lighting; Rocco Estates Subdivision; Permanent Parcel No. 08-28-376-008.

#### **MOTION** carried.

#### Addition:

24A. Request to Adopt a Resolution; Wingate Farms Subdivision; to change the name of Wingate Drive to Nesting Ridge Drive.

MOTION by DUNN seconded by OLIVER to adopt the resolution for Wingate Farms Subdivision changing the street name of Wingate Drive to Nesting Ridge Drive as follows:

# MACOMB TOWNSHIP BOARD OF TRUSTEES RESOLUTION CHANGING THE NAME OF A STREET IN THE WINGATE FARMS SUBDIVISION FROM WINGATE DRIVE TO NESTING RIDGE DRIVE

WHEREAS, the Macomb Township Board of Trustees approved the final plat for Wingate Farms Subdivision on December 10, 2003;

WHEREAS, the final plat for the Wingate Farms Subdivision identified a street within the subdivision as Nesting Ridge Drive; and

WHEREAS, the Wingate Farms Subdivision plat was recorded on February 26, 2004, at Liber 156, pages 28-33 of the Macomb County Register of Deeds.

WHEREAS, when the plat was recorded and returned to the Township of Macomb, Nesting Ridge Drive was misnamed as Wingate Drive; and

WHEREAS, pursuant to Section 256 of the State Land Division Act, the Macomb Township Board of Trustees may adopt a resolution changing the name of an existing street; and

WHEREAS, the Macomb Township Board of Trustees desires to change the name of Wingate Drive to Nesting Ridge Drive.

NOW THEREFORE, the Macomb Township Board of Trustees resolves as follows:

- 1. The name of the street located in Wingate Farms Subdivision and identified as Wingate Drive shall be changed to: Nesting Ridge Drive.
- 2. The Clerk of the Township of Macomb shall within thirty (30) days after the adoption of this resolution, record a certified copy with the Macomb County Register of Deeds and shall send a copy of the resolution to the State Treasurer.

This resolution was adopted by the Macomb Township Board of Trustees at a meeting on March 24, 2004.

Michael D. Koehs, Clerk Township of Macomb

## MOTION carried.

Addition:

24B. Ronald and Delores Michaels vs. Macomb Township Tax Appeal for 1999, 2000, 2001, and 2002 tax years.

MOTION by OLIVER seconded by MALBURG to accept the Township Attorney recommendation not to appeal the Ronald and Delores Michaels vs. Macomb Township Tax Appeal for 1999, 2000, 2001 and 2002 tax years.

## **MOTION** carried.

Addition:

24C. Request for Partial Occupancy; St. Isidore Catholic Church (Area E); Located on the northwest corner of 23 Mile Road and Romeo Plank Road; E & L Construction, Petitioner. Permanent Parcel No. 08-17-451-008,013 and 023.

Clerk KOEHS reviewed the request.

MOTION by DUNN seconded by OLIVER to authorize the Township Building Official to his satisfaction insure that all requirements in connection with this request have been met, to issue a Partial Occupancy Permit; St. Isidore Catholic Church

(Area E). Permanent Parcel No. 08-17-451-008,013 and 023.

# **MOTION** carried.

# **OLD BUSINESS:**

25. Wall Sign Bond Return; Benito's Pizza; Located on the northeast corner of 21 Mile Road and North Avenue, Huron Signs, Petitioner. Permanent Parcel No. 08-25-351-009.

Clerk KOEHS reviewed the administrative request.

MOTION by DUNN seconded by BUCCI to return the Wall Sign Bond; Benito's Pizza; for the total amount of Five Hundred dollars and 00/100 (\$500.00). Permanent Parcel No. 08-25-351-009.

#### MOTION carried.

Wall Sign Bond Return; The Now & Zen Cafe; Located on the northwest corner of Hall Road and Tilch Road; Nancy Graybill, Petitioner. Permanent Parcel No. 08-31-331-002.

Clerk KOEHS reviewed the administrative request.

MOTION by DUNN seconded by MALBURG to return the Wall Sign Bond; The Now & Zen Café; for the total amount of Five Hundred dollars and 00/100 (\$500.00). Permanent Parcel No. 08-31-331-002.

## **MOTION** carried.

27. Wall Sign Bond Return; Burger King; Located on the east side of Gratiot, north of Hall Road; Northstar Lighting & Sign, Petitioner. Permanent Parcel No. 08-36-477-001.

Clerk KOEHS reviewed the administrative request.

MOTION by OLIVER seconded by BUCCI to return the Wall Sign Bond; Burger King; for the total amount of Five Hundred dollars and 00/100 (\$500.00). Permanent Parcel No. 08-36-477-001.

# **MOTION** carried.

28. Release of Monuments & Irons Bond; Urban Meadows Subdivision; Located north of Hall Road and on the west side of the GTWRR. Lehner Associates, Inc., Petitioner. Section 36.

Clerk KOEHS reviewed the administrative request.

MOTION by BUCCI seconded by DUNN to approve the request to Release the Monuments & Irons Bond; Urban Meadows Subdivision; for the total amount of Three Thousand Fifteen dollars and 00/100 (\$3,015.00). Section 36.

## MOTION carried.

## PARKS AND RECREATION:

29. Request permission to recruit for Lifeguard Hiring

Salvatore DiCaro, Parks & Recreation Director, reviewed the request to recruit for lifeguards, 25 to 40 lifeguards will need to be hired in the initial phase of the aquatic portion of the Community Recreation Center.

MOTION by DUNN seconded by OLIVER to approve the request to recruit for Lifeguard hiring for the Community Recreation Center Building.

# **MOTION** carried.

30. Request permission to recruit for Aquatic Assistants

Salvatore DiCaro, Parks & Recreation Director, reviewed the request to recruit for Aquatic Assistants, 2 to 3 Aquatic Assistants will need to be hired for the Community Recreation Center Building.

MOTION by OLIVER seconded by BUCCI to approve the request to recruit for Aquatic Assistants for the Community Recreation Center Building.

# **MOTION** carried.

## **WATER/SEWER DEPARTMENT:**

- 31. Approval of Easements Documents for Township Owned Utilities for 23 Mile Road Sanitary and Water Main Replacement
  - A. Parcel No. 08-18-400-010
  - B. Parcel No. 08-20-100-007

David Koss, Water & Sewer Department, Superintendent, reviewed the request.

MOTION by DUNN seconded by MALBURG to approve Easement Documents for Township owned utilities for 23 Mile Road. Permanent Parcel No. 08-18-400-010.

**MOTION** carried.

MOTION by DUNN seconded by OLIVER to approve the Easement Documents for Township owned utilities for 23 Mile Road. Permanent Parcel No. 08-20-100-007.

#### MOTION carried.

32. Easement Encroachment Agreement, Graham & Lisa J. Payne, 15870 Myrtle Drive, Macomb, MI 48042, Lot 135 Bayberry Park Subdivision II, Parcel No. 08-07-178-009.

David Koss, Water & Sewer Department, Superintendent, reviewed the request.

MOTION by MALBURG seconded by BUCCI to approve Easement Encroachment Agreement, Graham & Lisa J. Payne, 15870 Myrtle Drive, Macomb, MI 48042, Lot 135 Bayberry Park Subdivision II, Permanent Parcel No. 08-17-178-009.

33. Temporary Cement Batch Plant Operations Request, John Carlo Inc., i.e. Buckingham Village II.

David Koss, Water & Sewer Department, Superintendent, reviewed the request.

MOTION by OLIVER seconded by MALBURG to approve the Temporary Cement Batch Plant Operations Request for a duration of 60 days from May 15, 2004 through July 13, 2004; John Carlo Inc. i.e. Buckingham Village II. Section 22.

## **MOTION** carried.

Approval of Purchase Requisitions
 A. S.L.C. Meter Service

David Koss, Water & Sewer Department, Superintendent, reviewed the request.

MOTION by DUNN seconded by MALBURG to approve the purchase requisition request; meter equipment through S.L.C. Meter Service, Inc., for the total amount of Four Thousand Eight Hundred Sixty Nine Dollars and 60/100 (\$4,869.60)

#### **MOTION** carried.

Addition:

# PARKS & RECREATION DEPARTMENT:

34B. Request approval to award bids for the Community Recreation Center Building.

Salvatore DiCaro, Parks & Recreation Director, reviewed Skanska U.S.A. Inc., Construction Manager, recommendation for the Community Recreation Center Building Bid Awards as follows: Eighteen Thousand Nine Hundred Thirty Six dollars and 00/100 (\$18,936.00) be awarded to The Supersine Company for signage and Six Thousand Nine Hundred Eleven dollars and 00/100 (\$6,911.00) be awarded to Designer Workroom for window treatments.

MOTION by DUNN seconded by BUCCI to approve the request and award Supersine Company the bid for signage for the Community Recreation Center Building for the total cost of Eighteen Thousand Nine Hundred Thirty Six dollars and 00/100 (\$18,936.00).

#### **MOTION** carried.

MOTION by DUNN seconded by MALBURG to approve the request and award Designer Workroom the bid for window treatments for the Community Recreation

Center Building for the total cost of Six Thousand Nine Hundred Eleven dollars and 00/100 (\$6,911.00).

**MOTION carried.** This motion was amended to reflect a correction in the bid amount for window treatments for the total cost of Seven Thousand dollars and 00/100 (\$7,000.00). Refer to Agenda No.40 for the amended motion.

# **BOARD COMMENTS:**

- 35. Supervisor Comments: None.
- 36. Clerk Comments: None.
- 37. Treasurer Comments: None.
- 38. Trustees Comments: None.

## **EXECUTIVE SESSION:**

The Members of the Board adjourned into Executive Session at 8:04 p.m.

MOTION by DUNN seconded by BUCCI to adjourn into Executive Session at 8:04 p.m.

#### **MOTION** carried.

The Members of the Board reconvened at 8:09 p.m.

39. Elro Corporation, et al v Township of Macomb

MOTION by DUNN seconded by BUCCI to authorize the Township Attorney to execute and sign the consent judgment; Elro Corporation, et al v Township of Macomb.

#### **MOTION** carried.

40. Marcast Development Co. v Township of Macomb

MOTION by DUNN seconded by MALBURG to authorize the Township Attorney to execute and sign the consent judgment; Marcast Development Co. v Township of Macomb.

Trustee DUNN discussed agenda number 34b. Window Treatment; Community Recreation Center correction to the Bid amount.

MOTION by DUNN seconded by MALBURG to amend the previous motion for agenda number 34 B; to reflect a correction to the bid amount awarded to Designer Workroom for window treatments for the Community Recreation Center Building for the total amount to reflect Seven Thousand dollars and 00/100 (\$7,000.00).

**MOTION** carried.

**ADJOURNMENT:** 

MOTION by MEERSCHAERT seconded by MALBURG to adjourn this meeting of March 24, 2004 at 8:12 p.m.

Respectfully,
John D. Brennan, Supervisor
Michael D. Koehs, Clerk Gabrielle M. Baker, Recording Secretary